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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

ASHTON WOODS HOLDINGS, L.L.C.;) CASE NO. 4:15-cv-01247-HSG
BEAZER HOMES HOLDINGS CORP.;)
CALATLANTIC GROUP, INC.; D.R. HORTON) Hon. Haywood S. Gilliam, Jr.
LOS ANGELES HOLDING COMPANY, INC.;)
HOVNANIAN ENTERPRISES, INC.; KB)
HOME; MERITAGE HOMES CORPORATION;) **PLAINTIFFS' AND L&W'S**
M/I HOMES, INC.; PULTE HOME) **STIPULATION REGARDING**
CORPORATION; THE DREES COMPANY;) **AUTHENTICITY AND**
TOLL BROTHERS, INC.; TRI POINTE) **ORDER**
HOMES, INC.,)
)

Plaintiffs,
)

| VS.)

USG CORPORATION; UNITED STATES
GYPSUM COMPANY; L&W SUPPLY)
CORPORATION; NEW NGC, INC.; LAFARGE)
NORTH AMERICA, INC.; CONTINENTAL)
BUILDING PRODUCTS, INC.; CERTAINTEED)
GYPSUM, INC.; AMERICAN GYPSUM)
COMPANY LLC; TIN, INC., d/b/a TEMPLE-)
INLAND, INC.; PABCO BUILDING)
PRODUCTS, LLC.,)

Defendants.

STIPULATION

Plaintiffs Ashton Woods Holdings, L.L.C., Beazer Homes Holdings Corp., CalAtlantic Group, Inc., D.R. Horton Los Angeles Holding Company, Inc., Hovnanian Enterprises, Inc., KB Home, Meritage Homes Corporation, M/I Homes, Inc., Pulte Home Corporation, The Drees Company, Toll Brothers, Inc., and TRI Pointe Homes, Inc. (collectively, “Plaintiffs”) and Defendant L&W Supply Corporation (“L&W”) stipulate as follows:

WHEREAS, on April 2, 2021, Plaintiffs and L&W signed a binding term sheet setting forth an agreement to settle all matters in controversy between the parties;

WHEREAS, Plaintiffs continue to litigate their claims against Defendant PABCO Building Products, LLC, and trial in this matter is set to begin on May 24, 2021;

WHEREAS, Plaintiffs may wish to use certain documents produced by USG and/or L&W at trial;

NOW, THEREFORE, the Parties hereby stipulate and agree to the following:

- Documents produced in this case by USG Corp., United States Gypsum Company, and L&W Supply Corporation (collectively, the “USG Entities”) are true and correct copies of documents found in the USG Entities’ business files.

IT IS SO STIPULATED

DATED: April 8, 2021

Respectfully submitted,

/s/ *Gary T. Lafayette*

/s/ Kevin Y Teruya

LAFAYETTE & KUMAGAI LLP

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ORDER

Pursuant to the parties' stipulation, it is so **ORDERED**. Documents produced in this case by USG Corp., United States Gypsum Company, and L&W Supply Corporation (collectively, the "USG Entities") are true and correct copies of documents found in the USG Entities' business files.

Date: 4/9/2021

Haywood S. Gill Jr.

Hon. Haywood S. Gilliam, Jr.

United States District Judge